

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

TERRY JOE ROBERTS,

Plaintiff(s),

v.

SECC DEPARTMENT OF
CORRECTIONS, et al.,

Defendant(s).

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No. 1:22-cv-00004-SRC

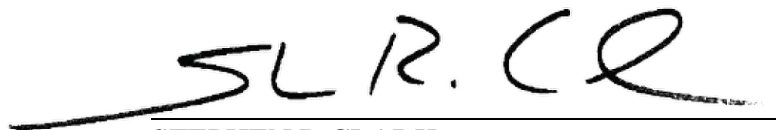
Order of Dismissal

This matter is before the Court *sua sponte*. Rule 4(m) of the Federal Rules of Civil Procedure states, “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant”

On December 7, 2022, the Court ordered Plaintiff to show cause, no later than December 28, 2022, why this action should not be dismissed for lack of timely service. Plaintiff has failed to answer the Court in a timely fashion, or otherwise timely serve Defendants.

Accordingly, the Court dismisses this action without prejudice. *See* Fed.R.Civ.P.4(m). The Court further orders that an appeal of this action would not be taken in good faith.

Dated this 27th day of January, 2023.

A handwritten signature in black ink, appearing to read 'SLR. CQ', with a long horizontal line extending to the left.

STEPHEN R CLARK
CHIEF UNITED STATES DISTRICT JUDGE